

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CASE NO. 05-10088 MBB

JULIANNE MARIE EVANS,

Plaintiff,

vs.

Assented To Motion to Reset Status Conference

NANTUCKET COMMUNITY
SAILING, INC., a Massachusetts corporation,
RONAN O'SIOCHRU and DONNCHA
KIELY,

and Status Report

Defendants.

Plaintiff requests that the status conference now set on October 4, 2005, be reset to November 4, 2005 at 11:00 a.m. on account of the 4th (and 5th) being Rosh Hashanah, a holiday observed by the undersigned. It was not until booking air flights this week that the conflict was realized, and I apologize for not having said something sooner. Terrance Kenneally, Esq., counsel for Nantucket Sailing, assents to this request.

The status of the case is that both of the newly added individual defendants have been served in Ireland. We are awaiting receipt of the original returns of service from the process server to file with the court (copies are attached).

Respectfully submitted,

"/s/ Jeffrey A. Miller"

Jeffrey A. Miller, Esq.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was sent by U.S. Mail and facsimile to Thomas J. Muzyka, Esq., One Washington Mall, Suite 1400 Boston, Massachusetts 02108 on September 29, 2005.

“/s/ Jeffrey A. Miller”

Jeffrey A. Miller, Esq.
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and

Michael P. Ascher, Esq. (local counsel)
P.Q. Box 667
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Tel : 413.566.3878
Fax : 413.566.3437
Massachusetts Bar No. 022695

12/09 2005 14:05 FAX 0214878790

NORWOOD GRANGE C. H.

002/002

SAO 440 (Rev. 10/93) Summons in a Civil Action

| RETURN OF SERVICE | | |
|---|---|-------------------------|
| Service of the Summons and complaint was made by the ⁽¹⁾ | | DATE <u>9/ Sept /05</u> |
| NAME OF SERVER (PRINT) <u>TOM MURPHY</u> | | TITLE <u>MR.</u> |
| Check one box below to indicate appropriate method of service. | | |
| <input type="checkbox"/> Served personally upon the third-party defendant. Place where served: <u>20 Waterpark Close</u> <u>Castlegrove, CORK</u> | | |
| <input checked="" type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: <u>Denis J Kiely (Partner)</u> | | |
| <input type="checkbox"/> Returned unexecuted: _____ | | |
| <input type="checkbox"/> Other (specify): _____ | | |
| STATEMENT OF SERVICE FEES | | |
| TRAVEL | SERVICES | TOTAL |
| | | |
| DECLARATION OF SERVER | | |
| I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct. | | |
| Executed on <u>9/9/05</u> | <u><i>Tom Murphy</i></u> Signature of Server | |
| Date | <u>4 Williamstown Place, Sunday, West End</u> Address of Server <u>CORK</u> | |

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

and D. Murphy

12/09 2005 14:05 FAX 0214878790

NORWOOD GRANGE C. H.

001/002

AO 440 (Rev. 10/93) Summons in a Civil Action

| RETURN OF SERVICE | | |
|--|---|----------------------------|
| Service of the Summons and complaint was made by me ⁽¹⁾ | | DATE <u>12 August 2005</u> |
| NAME OF SERVER (PRINT) <u>TOM MURPHY</u> | | TITLE <u>MR.</u> |
| Check one box below to indicate appropriate method of service | | |
| <input type="checkbox"/> Served personally upon the third-party defendant. Place where served: <u>10 Bishopscourt Hill, Bishopscourt Hill, Bishopscourt Hill</u> | | |
| <input checked="" type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: <u>ROGER O. SACHS - RICHARD SACHS</u> | | |
| <input type="checkbox"/> Returned unexecuted: _____ | | |
| <input type="checkbox"/> Other (specify): _____ | | |
| STATEMENT OF SERVICE FEES | | |
| TRAVEL | SERVICES | TOTAL |
| | | |
| DECLARATION OF SERVER | | |
| I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct. | | |
| Executed on <u>12 August 2005</u> Date | <u>TOM MURPHY</u> Signature of Server | |
| | <u>4 Wellington Place, Sunnyvale, CA 94085</u> Address of Server | |

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

